

**FILED**

November 07, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY: Julie Golden  
DEPUTY

T.S., by and through his next friend,  
N.O.; and G.A.;  
*individually and on behalf of all others*  
*similarly situated,*

*Plaintiffs,*

V.

The Burke Foundation  
d/b/a Burke Center for Youth,

*Defendant.*

CASE NO. 1:19-cv-809-RP

## **AMENDED SCHEDULING ORDER**

This case will be controlled by the following deadlines:

1. Plaintiffs shall file a motion for class certification under Rule 23 on or before

February 13, 2024.

2. All fact discovery shall be completed within 150 days after a decision on Rule 23 certification is rendered

class certification is rendered.

3. If a class is certified under Rule 23(b)(3), the parties shall, within 14 days after the certification decision is rendered, submit a proposed plan for directing to class members the best notice that is practicable under the circumstances. If, after conferring, the parties are unable to submit a joint plan, each shall file its own proposed plan.

4. If testifying experts are retained for trial:

a. Plaintiffs shall designate such experts within 60 days after a decision on Rule 23 class certification is rendered, and Defendant shall designate such experts within 74 days after a decision on Rule 23 class certification is rendered.

b. All parties shall file all designations of rebuttal experts and serve on all parties the

material required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts, to the extent not already served, 15 days from the receipt of the report of the opposing expert.

5. All dispositive motions shall be filed no later than 45 days after the close of discovery and shall be limited to 20 pages. Responses shall be filed and served on all other parties not later than 14 days after the service of the motion and shall be limited to 20 pages. Any replies shall be filed and served on all other parties not later than 7 days after the service of the response and shall be limited to 10 pages, but the Court need not wait for the reply before ruling on the motion.

6. This case is to be set for a trial at a time and date at a later time to be determined by the Court.

SIGNED on this 7th day of November, 2023.



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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE